

(1) ON RECEIPT OF THE SWORN STATEMENT OF A POLICE OFFICER FILED UNDER SUBSECTION (C) OF THIS SECTION, THE ADMINISTRATION SHALL GIVE REASONABLE NOTICE TO THE DRIVER, IN ACCORDANCE WITH TITLE 12, SUBTITLE 2 OF THIS ARTICLE, TO ATTEND A HEARING ON A DATE SPECIFIED IN THE NOTICE AND SHOW CAUSE WHY HIS LICENSE OR PRIVILEGE TO DRIVE SHOULD NOT BE SUSPENDED FOR REFUSING TO TAKE THE TEST.

(2) THE ADMINISTRATION SHALL SET THE HEARING FOR A DATE WITHIN 30 DAYS OF THE DRIVER'S DETENTION. HOWEVER, THE HEARING MAY BE HELD AT ANY OTHER TIME ~~WITHIN THE 30-DAY PERIOD ON AGREEMENT OF THE DRIVER AND THE ADMINISTRATION, AND MAY NOT BE HELD AFTER THE 30-DAY PERIOD EXCEPT ON GOOD CAUSE SHOWN TO THE SATISFACTION OF THE ADMINISTRATION.~~

(3) AT THE HEARING, THE DRIVER MAY PRESENT EVIDENCE ABOUT HIS REFUSAL TO TAKE THE TEST AND MAY BE REPRESENTED BY AN ATTORNEY.

(4) AFTER THE HEARING, THE ADMINISTRATION MAY SUSPEND THE DRIVER'S LICENSE OR PRIVILEGE TO DRIVE FOR NOT MORE THAN 60 DAYS. FAILURE OF THE DRIVER TO ATTEND THE HEARING IS PRIMA FACIE EVIDENCE OF HIS INABILITY TO ANSWER THE SWORN STATEMENT OF THE POLICE OFFICER, AND THE ADMINISTRATION SUMMARILY MAY SUSPEND HIS LICENSE OR PRIVILEGE TO DRIVE FOR NOT MORE THAN 60 DAYS.

(F) COURT REVIEW OF SUSPENSION OF LICENSE OR PRIVILEGE TO DRIVE.

IF THE ADMINISTRATION IMPOSES A SUSPENSION AFTER A HEARING, THE INDIVIDUAL WHOSE LICENSE OR PRIVILEGE TO DRIVE HAS BEEN SUSPENDED MAY APPEAL THE FINAL ORDER OF SUSPENSION AS PROVIDED IN TITLE 12, SUBTITLE 2 OF THIS ARTICLE.

REVISOR'S NOTE: This section presently appears as Art. 66 1/2, §6-205.1.

Throughout this section, the phrase "while intoxicated" is substituted for the obsolete "while under the influence of intoxicating liquor". See §21-902 of this article.

In subsection (a) of this section, the simple term "certification" is substituted for the present "statement under oath". See §12-109 of this article.

Subsection (b) (3) of this section is revised to clarify that it is the "detaining police officer" who must advise the driver of the stated facts.

In subsection (d) (1) of this section, present